

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

For Online Publication Only

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In re:

GABRIELLA HURST

Debtor.  
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GABRIELLA HURST,  
Plaintiff/Appellant,

v.

MICHAEL J. MACCO, Trustee, and U.S.  
TRUSTEE,  
Defendant/Appellee.  
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**ORDER**

17-CV-6620 (JMA)

**FILED  
CLERK**

3/15/2019 4:56 pm

**U.S. DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
LONG ISLAND OFFICE**

**AZRACK, United States District Judge:**

On November 9, 2017, Debtor Gabriella Hurst (“Hurst” or “Appellant”) filed a *pro se* appeal from a decision of the bankruptcy court. (ECF No. 1.) The Record on Appeal was received by the Court on June 6, 2018. (ECF No. 2.) Accordingly, Appellant was directed to serve and file a brief within thirty (30) days of that notice as required by in Federal Rule of Bankruptcy Procedure 8018. Appellant failed to do so. By Order dated November 8, 2018, the Court directed Appellant to serve and file a brief by December 10, 2018. The Court warned Appellant that failure to respond to the Order could result in the dismissal of the action for failure to prosecute. The Order was mailed to Appellant at her address of record, and subsequently re-mailed to an updated address. To date, Appellant has not responded to the Order, filed a brief, or otherwise communicated with the Court about this case. Accordingly, the appeal is dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that *in forma pauperis* status for the purpose of an appeal from this order would not be taken in good faith and therefore *in forma pauperis* status is denied. See Coppedge v. United States, 369 U.S. 438, 444–45 (1962).

The Clerk of the Court is directed to mail a copy of this order to Hurst at the following two addresses:

281 Mott Avenue  
Lawrence, NY 11559

146 Beach 9th St. Apt 3C  
Far Rockaway NY 11691

and to mark this case closed.

**SO ORDERED.**

Dated: March 15, 2019  
Central Islip, New York

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/s/ (JMA)  
JOAN M. AZRACK  
UNITED STATES DISTRICT JUDGE